

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

LAJUAN TUCKER,

Plaintiff,

Case No. 3:18-cv-402

vs.

OHIO BELL TELEPHONE COMPANY,

Defendant.

District Judge Thomas M. Rose

Magistrate Judge Michael J. Newman

REPORT AND RECOMMENDATION¹ THAT THIS CASE BE: (1) DISMISSED FOR FAILURE TO PROSECUTE; AND (2) TERMINATED ON THE COURT'S DOCKET

This civil case is before the Court following *pro se* Plaintiff's failure to comply with Orders: (1) compelling her to respond to outstanding discovery requests and to file a notice with the Court certifying service of such responses; (2) directing her to notify the Court of her current contact information; and (3) requiring her to show cause for failing to do all of the foregoing. *See* docs. 14, 15. As a result of these failures, the undersigned concludes that dismissal for failure to prosecute is appropriate. Accordingly, pursuant to Fed. R. Civ. P. 41(b), the undersigned **RECOMMENDS** that this case be: (1) **DISMISSED** for failure to prosecute; and (2) **TERMINATED** on the Court's docket.

Date: November 15, 2019

s/ Michael J. Newman
Michael J. Newman
United States Magistrate Judge

¹ Attached hereto is a NOTICE to the parties regarding objections to this Report and Recommendation.

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within **FOURTEEN** days after being served with this Report and Recommendation. This period is not extended by virtue of Fed. R. Civ. P. 6(d) if served on you by electronic means, such as via the Court's CM/ECF filing system. If, however, this Report and Recommendation was served upon you by mail, this deadline is extended to **SEVENTEEN DAYS** by application of Fed. R. Civ. P. 6(d). Parties may seek an extension of the deadline to file objections by filing a motion for extension, which the Court may grant upon a showing of good cause.

Any objections filed shall specify the portions of the Report and Recommendation objected to, and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based, in whole or in part, upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs.

A party may respond to another party's objections within **FOURTEEN** days after being served with a copy thereof. As noted above, this period is not extended by virtue of Fed. R. Civ. P. 6(d) if served on you by electronic means, such as via the Court's CM/ECF filing system. If, however, this Report and Recommendation was served upon you by mail, this deadline is extended to **SEVENTEEN DAYS** by application of Fed. R. Civ. P. 6(d).

Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140, 153-55 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).